

120403

17707 U.S.P.T.O.

PTO/SB/05 (08-03)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	23242-1024
First Inventor	Jevan Damadian, et al.
Title	VIBRATION ASSISTED NEEDLE DEVICE
Express Mail Label No.	EV 336270731 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 28]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 11]

5. Oath or Declaration [Total Sheets \_\_\_\_\_]

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  Paper
- c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: Certificate of Mailing.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

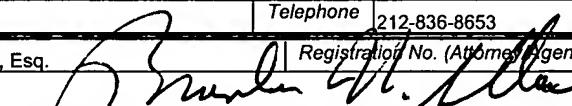
Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 09/799,926.....

Prior application information: Examiner Kevin L. Lee Art Unit: 3753  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number: \_\_\_\_\_ OR  Correspondence address below

Name	Brandon N. Sklar, Esq.		
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Name (Print/Type)	Brandon N. Sklar, Esq.	Registration No. (Attorney/Agent)	
Signature			
	Date	December 4, 2003	

This collection of information is required by 37 CFR 1.63(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

2154 10/728376 U.S.P.T.O.

120403

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Jevan Damadian, et al.

Serial No.: New Application - Continuation of 09/799,926 Group Art Unit: 3753

Dated Filed: December 4, 2003 Examiner: Kevin L. Lee

For: VIBRATION ASSISTED NEEDLE DEVICE

Mail Stop Patent Applications  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF EXPRESS MAILING**

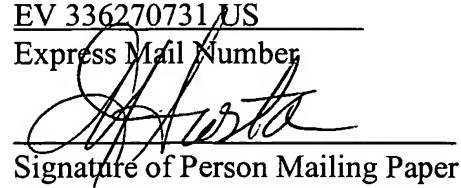
Sir:

I hereby certify that the following documents are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR §1.10 on the date shown below with sufficient postage in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450:

1. Utility Patent Application Transmittal (Continuing Application), including 28 pages of Specification, 35 Claims and 11 sheets of Drawings;
2. Information Data Sheet;
3. Copies of two executed Combination Declaration/Power of Attorneys;
4. Nonpublication Request;
5. Return Receipt Postcard.

Maritza Acosta  
Name of Person Mailing

December 4, 2003  
Date of Deposit

EV 336270731 US  
Express Mail Number  
  
Signature of Person Mailing Paper

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Jevan Damadian, et al.
Title	VIBRATION ASSISTED NEEDLE DEVICE
Attorney Docket Number	23242-1024

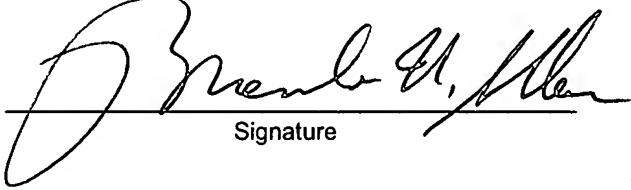
I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 4, 2003

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

  
Brandon N. Sklar, Esq., Reg. No. 31,667

\_\_\_\_\_  
(212) 836-8653

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.